

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED SEP 27 2013

JIMMY LEE CARRERO

v.

BRENDA TRITT, et al.

: CIVIL ACTION
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NO. 13-cv-3582

AND NOW, this 26th day of Sept., 2013, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is STAYED and held in ABEYANCE until the conclusion of Petitioner's state court proceedings.
3. Petitioner shall return to federal court within thirty days following the conclusion of his state court proceedings. If he does not return to federal court within thirty days following the conclusion of his state court proceedings, this stay and abeyance order is vacated and his petition is dismissed without prejudice.
4. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

ENTERED
SEP 27 2013
CLERK OF COURT

/s/ Legrome D. Davis

LEGROME D. DAVIS, J.